



Governor Brian Schweitzer

Montana

Department of Labor and Industry

Business Standards Division

MONTANA STATE BOARD OF NURSING

APPLICATION OF GUIDELINES FOR DECISION MAKING REGARDING SCOPE OF PRACTICE

March 23, 2007

The profession of nursing is a dynamic discipline. Practice potentials transform and develop in response to health care needs, technological advances in health care, changes in the needs of society, and the expansion of scientific knowledge. All licensed nurses share a common base of responsibility and accountability defined as the practice of nursing. However, competency-based practice scopes of individual nurses may vary according to the type of basic licensure preparation, practice experience, and professional development activities.

The parameters of the practice scopes are defined by basic licensure preparation and advanced education. Within this scope of practice, all nurses are expected to maintain competence, which may be accomplished in many ways. The licensed nurse is responsible and accountable, both professionally and legally, for determining his/her personal scope of practice. Since roles and responsibilities of nurses are constantly changing and increasing in complexity, it is important that each nurse makes informed, evidence-based decisions regarding individual scope of practice and contact the Board of Nursing if assistance is needed in making this determination.

Clarify what it is you are being asked to do:

- Gather facts that may influence the decision
 - *Are there written policies/procedures available to describe how and under what circumstances you will perform this task?*
 - *Does the new responsibility require professional judgment or simply the acquisition of a new skill?*
 - *Is this a new expectation for all RNs, LPNs?*
 - *Has this been done before by others in your unit or facility?*
 - *Is it just new to you?*
 - *What about the other facilities in your community or region?*
 - *What are the nurse managers' expectations about you or other nurses becoming responsible for this procedure?*
 - *When will this become effective?*
 - *Will there be an opportunity to help you attain the needed clinical competency?*
 - *Who will be responsible for the initial supervision and evaluation of this newly performed task?*
 - *Will you be given additional time to learn the skill if you need it?*

Assess:

- Are you clinically competent to perform this procedure?
- Do you currently have the knowledge and skills to perform the procedure?
- Have you had experience in previous jobs with this procedure?
- Who is available to assist you who has that skill and knowledge?
- Is that person accessible to you?
- Do you believe you will be able to learn the new skill in the allotted time?
- How can you determine that you are practicing within your scope of nursing?
- What is the potential outcome for the patient if you do or do not perform the procedure?

Identify options and implications of your decision. The options include:

- ❖ The responsibility/task is specifically not prohibited by the Montana Board of Nursing (MBON) laws and rules

If you believe that you can provide safe patient care based upon your current knowledge base, or with additional education and skill practice, you may be ready to accept this new responsibility.

You will then be ethically and legally responsible for performing this new procedure at an acceptable level of competence.

If you believe you will be unable to perform the new task competently, then further discussion with the nurse manager is necessary.

At this point, you may also ask to consult with the next level of management, nurse executive, or the Board of Nursing so that you can discuss various perspectives regarding this issue.



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- ❖ It is important that you continue to assess whether this is an isolated situation just affecting you, or whether there are broader implications.

Is this procedure new to you, but other nurses in the organization with similar patient populations are already performing this procedure?

To what do you relate your reluctance to accept this responsibility?

Is it a workload issue or is it a competence issue?

- ❖ At this point, it is important for you to be aware of the legal rights of your employer. Even though you may have legitimate concerns for patient safety and your own legal accountability in providing competent care, your employer may be able to expect you to perform the task. Both you and the employer share responsibility in making this determination and you need to be open to alternatives.
- ❖ Consider resources that you can use for information and support, such as your professional organization, national publications, standards of practice that apply to that specific area of practice and the Montana Nurse Practice Act.

Point of decision/Implications

Your decision may be to:

- ✓ **Accept the newly assigned task** – *you have now made an agreement with your employer to incorporate this new responsibility, under the conditions outlined in the procedure manual and are now accountable for its performance.*
- ✓ **Agree to learn the new procedure** *according to the plans established by the employer and nationally accepted standards for your education, skills practice, and evaluation. Ensure that documentation of your competence is in your personnel file. If you do not feel adequately prepared to perform the task/procedure, it is your responsibility to inform your employer of this and be willing to develop an action plan for gaining competence.*
- ✓ **Refuse to accept the newly assigned task/procedure.** *You will need to document the basis for your decision for yourself and your employer. Be prepared to offer alternatives, which may include a change in work setting, a change in employment by choice or by employer decision, or implementing the organization's grievance procedures.*

For additional information on applying the Montana Nurse Practice Act (Laws and Rules/Regulations), you may:
access the website www.nurse.mt.gov; email the board office dlibsdnur@mt.gov or
call the board office at (406) 841-2345